

Court of Appeals, State of Michigan

ORDER

People of MI v Robert Neal Bisgeier

Docket No. 266882

LC No. 2003-191040 FH

Stephen L. Borrello
Presiding Judge

Peter D. O'Connell

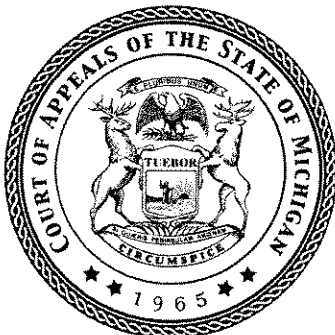
Bill Schuette
Judges

Pursuant to the Supreme Court's directive entered October 4, 2006, this matter is remanded to "the Oakland Circuit Court to conduct an evidentiary hearing pursuant to *People v Ginther*, 390 Mich 436 (1973), on the defendant's claim that the failure to timely seek appellate review was caused by ineffective assistance of counsel."

The trial court is to hear and decide the matter within 56 days of the Clerk's certification of this order. Appellant must file with the Clerk of this Court copies of all orders entered on remand within 14 days after entry.

The trial court is to make findings of fact and a determination on the record. The trial court is to cause a transcript of any hearing on remand to be prepared and filed within 21 days after completion of the proceedings.

This Court retains jurisdiction in the cause, and the time for proceeding with the appeal in this Court begins upon issuance of an order in the trial court that finally disposes of the remand proceedings.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

NOV 2 2006
Date

Sandra Schultz Mengel
Chief Clerk